

VZCZCXYZ0000  
OO RUEHWEB

DE RUEHZP #1739/01 3082225  
ZNY CCCCC ZZH  
O 042225Z NOV 07

FM AMEMBASSY PANAMA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1369  
INFO RUEHLO/AMEMBASSY LONDON IMMEDIATE 0259  
RUEHML/AMEMBASSY MANILA IMMEDIATE 0081  
RUEHNR/AMEMBASSY NAIROBI IMMEDIATE 0026  
RUEHGO/AMEMBASSY RANGOON IMMEDIATE 0004  
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 0201  
RUEHGP/AMEMBASSY SINGAPORE IMMEDIATE 0016  
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0108  
RHMFISS/DEPT OF JUSTICE WASHINGTON DC IMMEDIATE  
RHMFISS/CDR USSOUTHCOM MIAMI FL IMMEDIATE  
RHMFISS/JOINT STAFF WASHINGTON DC IMMEDIATE  
RUEKJCS/SECDEF WASHDC IMMEDIATE  
RHMFISS/CNO WASHINGTON DC IMMEDIATE  
RHMFISS/COMDT COGARD WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L PANAMA 001739

SIPDIS

SIPDIS

STATE FOR EAP/RSP, AF/RSA (J. BANDO), WHA/PPC, WHA/CEN (E.  
TELLO)  
NSC FOR JEFFRIES AND ZARATE

E.O. 12958: DECL: 11/04/2017  
TAGS: [KCRM](#) [KCSY](#) [PHSA](#) [PBTS](#) [PGOV](#) [PREL](#) [EWWT](#) [UN](#) [UNSC](#)  
IMO, PM, BM, SO, RP, JA, KN, KS, XA, XO  
SUBJECT: SOMOLIA PIRACY: PANAMA "PREPARED TO ASSUME CASE"  
OF GOLDEN NORI

REF: STATE 152276

Classified By: POLCOUNS Brian R. Naranjo. Reasons: 1.4 (b) and (d).

11. (U) This is an action request; see para 5.

-----  
Summary  
-----

12. (C) "Panama is prepared to assume the case" to prosecute the alleged pirates who have seized the GOLDEN NORI off the coast of Somalia, Public Ministry Secretary for International Affairs Greta Marchovsky told POLCOUNS on November 4. Following Ambassador's delivery of reftel demarche, First VP and FM Samuel Lewis told Ambassador that he and the MFA were in contact with Attorney General Ana Matilde Gomez and the Public Ministry: "The Attorney General is being cooperative, and I have instructed the Foreign Ministry to lean forward" to help resolve this matter. "There is no question that prosecution of this alleged act of piracy would fall within Panama's jurisdiction," MFA Legal Counselor Iana Quadri told POLCOUNS. All GOP officials with whom Embassy officials spoke, however, underscored that extensive USG assistance would be essential to support Panama's ability to prosecute effectively the perpetrators of these alleged acts of piracy against the GOLDEN NORI. End summary.

-----  
First VP and FM: GOP to "Lean Forward"  
-----

13. (C) "I have instructed the Foreign Ministry to lean forward" to help bring to justice the perpetrators of these acts of piracy against the GOLDEN NORI, First VP and FM Samuel Lewis told Ambassador on November 4. Lewis, who was preparing to depart on an overseas trip on the afternoon of November 4, also undertook to engage Panama's quasi-independent Attorney General Ana Matilde Gomez; "She is

being cooperative," Lewis informed Ambassador.

-----  
"Prepared to Assume Case;" "Panama Has Jurisdiction"  
-----

¶4. (C) "Panama is prepared to assume this case," Public Ministry Secretary for International Affairs Greta Marchovsky told POLCOUNS on November 4. After hearing the details of the case and subsequently consulting with Attorney General Gomez, Marchovsky noted, "It is imperative to act to preserve the lives of the crew members aboard the GOLDEN NORI."

(Note: Panama's Public Ministry, essentially the national prosecutor's office, is a quasi-independent institution in Panama. The Attorney General heads the Public Ministry.) In parallel consultations, MFA Legal Advisor Iana Quadri told POLCOUNS, "There is no question that Panama has jurisdiction since this act of piracy was committed against a Panamanian-flagged ship." Both Marchovsky and Quadri underscored that Panama would require extensive USG assistance to prosecute effectively the perpetrators of these acts of piracy, including, but not limited to assistance in: facilitating the travel of Panamanian law enforcement personnel to Somalia, transporting the suspects to Panama, and acquiring and securing evidence.

-----  
Action Request  
-----

¶5. (C) MFA Legal Counselor Quadri has asked for a formal diplomatic note requesting Panama's assistance in bringing the persons apprehended for involvement in the piracy of the GOLDEN NORI to justice by accepting custody of and prosecuting any apprehended persons. Post recommends that

the diplomatic note provide an indication as to the extent of any assistance and support that the USG can offer to help ensure effective prosecution. Post requests guidance and language for such a diplomatic note by OOB, Tuesday, November 16.

-----  
Comment  
-----

¶6. (C) Panama's rapid and positive response regarding its willingness to prosecute the suspects in the acts of piracy against the GOLDEN MORI underscores Panama's desire to strive to be a strategic partner of the U.S. Though Panama is presently celebrating its most important national days over a long weekend -- equivalent to the 4th of July, Memorial Day, and Veteran's Day all rolled into one -- Lewis, Gomez and their lead advisors engaged immediately and all clearly understood the importance of Panama acting decisively on this matter. Post will need to coordinate extensively with the GOP to determine the kinds, extent, and specifics of the assistance that Panama will need to follow through on its commitment to prosecute. That coordination can begin as soon as OOB, Tuesday, November 6.  
EATON